

On page 15, line 18, correct the spelling of "fist" to read --first--.

On page 23, line 4, correct the spelling of "non-magnet;c" to read --non-magnetic--.

In the Claims

Cancel claims 1-3, 8-24 and 30-39, without prejudice to re-submission of the claims in a continuation application.

Amend claim 4 as follows:

4 (Amended). A fluid pump comprising:

a housing defining a pumping chamber, a pumping chamber inlet port and a pumping chamber outlet port;

a rotatable impeller disposed in said pumping chamber for rotation about an axis;

a polarized electromagnetic means associated with said impeller and said housing for rotating said impeller about said axis;

a plurality of diamagnets fixed with respect to said impeller; and

a plurality of magnet means fixed with respect to said housing and disposed in magnetic communication with said plurality of diamagnets, to thereby stabilize said impeller by [levitating] magnetic forces levitating said impeller.

[Amend claim 5 as follows:]

5 (Amended). The fluid pump of claim 4 wherein said plurality of diamagnets and said plurality of magnet means are oriented generally axially and generally radially with respect to said housing and said impeller, whereby said impeller is axially

a1
stabilized and radially stabilized by ~~[levitating] magnetic forces~~ levitating said impeller.

Amend claim 7 as follows:

a2
³
~~7~~ (Amended). The fluid pump of claim ²~~6~~ wherein said impeller has a density substantially equal [similar] to the density of a [the] fluid pumped by said fluid pump.

Amend claim 25 as follows:

a3
25 (Amended). A fluid pump comprising:

a housing defining a pumping chamber, a pumping chamber inlet port and a pumping chamber outlet port;

a central frame fixed with respect to said housing and disposed in said pumping chamber;

a rotatable impeller disposed in said pumping chamber for rotation about said central frame;

a polarized electromagnetic means associated with said housing and said impeller for rotating said impeller about said central frame;

a plurality of diamagnets fixed with respect to said impeller;

a plurality of magnet means fixed with respect to said central frame and in magnetic communication with said plurality of diamagnets, to thereby stabilize said impeller by ~~[levitating] magnetic forces~~ levitating said impeller.

[Amend claim 26 as follows:]

26 (Amended). The fluid pump of claim 25 wherein said plurality of diamagnets and said plurality of magnet means are oriented generally radially with respect to

a³ said central frame and said impeller, whereby said impeller is axially stabilized by [levitating] magnetic forces levitating said impeller.

Amend claim 29 as follows:

a⁴ ²29 (Amended). The fluid pump of claim ⁶28 wherein said impeller has a density substantially equal [similar] to the density of a [the] fluid pumped by said fluid pump.

Remarks

With the cancellation of claims 1-3, 8-24, and 30-39, the claims in the case are now claims 4-7 and 25-29.

In view of the cancellation of generic claims 1-3, applicant has cancelled all claims in the case except those that claim diamagnets in the levitated impeller and opposing magnet means located in either the pump housing or a central frame member, to limit the application to claims directed to one invention. Claim 25 has been amended to make it clearly a species of generic claim 4.

The claims now in the case (4-7 and 25-29) stand rejected as vague and indefinite (§112) for recitation of "substantially similar" (claims 7 and 29), as vague and indefinite (§112) for recitation of "levitating magnetic forces" (claims 4-5 and 25-26), as lacking antecedent basis (claims 7 and 29), as anticipated (§102) by Bramm et al. (claims 4-7 and 25-29), and as obvious (§103) over Bramm et al. (claims 25-29).

Claims 7 and 29 have been amended to eliminate the term "substantially similar" objected to as indefinite. The term "substantially similar" is a compound injection of approximation in the claim because both words connote approximation. The amendment eliminates the compound effect of the term by